

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

United States of America,)	ORDER GRANTING PLAINTIFF’S
)	MOTION TO DISMISS DEFENDANTS
Plaintiff,)	NORTH DAKOTA STATE TAX
)	COMMISSIONER, BURKE COUNTY
vs.)	DIRECTOR OF TAX EQUALIZATION
)	AND MONTANA-DAKOTA UTILITIES
184,378 Square Feet of Land in)	CO.
City of Portal, Burke County,)	
North Dakota; et al.,)	
)	Case No. 4:07-cv-026
Defendants.)	

Before the Court is the plaintiff’s “Motion to Dismiss Defendants North Dakota State Tax Commissioner, Burke County Director of Tax Equalization, and Montana-Dakota Utilities Co.” filed on August 19, 2009.

The Court **GRANTS** the motion (Docket No. 19). Defendants North Dakota State Tax Commissioner, Burke County Director of Tax Equalization, and Montana-Dakota Utilities Co., are dismissed from the above-entitled action with prejudice and without costs to any party.

Dated this 24th day of August, 2009.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court